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NEWS RELEASE

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FOR IMMEDIATE RELEASE

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**FORMER YOUTH SOFTBALL COACH PLEADS GUILTY TO DISTRIBUTING,
RECEIVING, AND POSSESSING IMAGES OF CHILD SEXUAL EXPLOITATION**

Agrees to Prison Term of 295 months and Lifetime Term of Supervised Release

FRESNO - United States Attorney McGregor W. Scott announced today that MARK ALAN McGARRY, 46, of Fresno, California pleaded guilty before United States District Judge Oliver W. Wanger to one count of distributing and receiving visual depictions of the sexual exploitation of minors, and one count of possession of visual depictions of the sexual exploitation of minors. He agreed his sentence will include a prison term of 295 months (24 years 7 months) followed by a term of supervised release for the rest of his life which typically restricts a defendant's access to children and the Internet. He will be required to register as a sex offender.

This case was the result of a joint investigation by representatives of the Fresno County Sheriff's Department, Computer Crimes Unit, the Fresno Office of U.S. Immigration and Customs Enforcement, and the Clovis Police Department.

According to Assistant United States Attorney David Gappa, who is prosecuting the case, McGARRY admitted in a plea agreement that from approximately December 26, 2004 through January 6, 2005, in Fresno County, he used a computer and modem to distribute and receive, via the internet, visual depictions of the sexual exploitation of minors. He also possessed the images during this same time period. The distribution involved material depicting prepubescent minors as well as images of minors engaged in sadistic or masochistic conduct or other violence. The offenses involved more than 600 images in video and still formats.

The investigation began on December 28, 2004, when America Online (AOL) notified the National Center for Missing & Exploited Children (NCMEC) CyberTipline that an AOL user (subsequently identified as McGARRY) had attempted to upload a single image known to be child pornography to his AOL e-mail account. The NCMEC notified the Fresno County Sheriff's Department which quickly obtained a search warrant, executed it, and seized from the defendant's residence numerous images of the sexual exploitation of minors. Further investigative work led to the identification and arrest of at least 35 individuals connected to McGARRY involved in the distribution and receipt of child pornography in the United States and elsewhere. One of those individuals, JEFFREY YINGST, formerly of Palmyra, Pennsylvania, exchanged images of child

sexual exploitation with McGARRY. YINGST was also prosecuted in Fresno and received a 121-month federal prison sentence on May 2, 2006.

"This case is a stellar example of the concerted effort of both industry and law enforcement to aggressively pursue child exploitation. Mark McGarry would still be exploiting children in our community were it not for American Online, responding to the uploading of one single image of child pornography, alerting the National Center for Missing and Exploited Children, which notified the Fresno County Sheriff's Department, which conducted a swift and effective investigation. Child predators should take heed of the work done in this case, and the near-25 year sentence McGarry is now facing," said United States Attorney Scott.

According to an affidavit in a complaint filed after his arrest, McGARRY coached a youth softball team in Clovis, California. He admitted in his plea agreement, that during or prior to the offenses involving receipt and distribution of material depicting the sexual exploitation of minors, he committed two or more instances of sexual abuse or sexual exploitation of a minor female who resided in Clovis, California.

McGARRY will be sentenced on January 27, 2007, at 9:00 a.m. before Judge Wanger. He faces a maximum prison term of 20 years for distribution and 10 years for possession, a fine of up to \$250,000 for each count, and a lifetime-term of supervised release. However, the actual sentence will be determined at the discretion of the court after consideration of the Federal Sentencing Guidelines, which take into account a number of variables, and any applicable statutory sentencing factors. McGARRY has been in federal custody as both a danger to the community and a flight risk since his arrest on January 6, 2005.

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